

**BEST AVAILABLE COPY**

**LOUIS, PÖHLAU, LOHRENTZ & SEGETH**  
PATENTANWÄLTE  
EUROPEAN PATENT AND TRADEMARK ATTORNEYS

DIPL.-PHYS. CLAUD PÖHLAU  
DR.-ING. WALTER KÖHLER  
DIPL.-PHYS. WOLFG. SEGETH  
DIPL.-ING. F. LOHRENTZ (1971-1999)

EUROPEAN PATENT OFFICE

80331 München

POSTANSCHRIFT/MAILING ADDRESS:  
90014 NÜRNBERG/GERMANY  
POSTFACH/P.O. BOX 30 55  
TELEFON: (0911) 5103 60  
TELEFAX: (0911) 5113 42  
E-MAIL: office@burgpatent.de

HAUSANSCHRIFT/PREMISES:  
90409 NÜRNBERG/GERMANY  
MERIANSTRASSE 26

EPO - Munich  
17

27 Nov. 2001

33.126ep-AW/sc

Unser Zeichen / Our reference

November 26, 2001

Application No. : 94 927 244.7-2310  
Applicants : CUMMING, J. Stuart

In reply to the COMMUNICATION UNDER RULE 51(4) EPC dated October 2, 2001:

An amended claim 1 is filed in triplicate in order to replace pending claim 1 on the file. Pending claims 2 to 41 are maintained. The amendments have already been discussed on phone with the Examiner on October 15, 2001. The amendments can be seen from the enclosed claim 1 wherein subject matter cancelled has been put in brackets and subject matter added has been underlined.

Support for these amendments can be found throughout the application, for example, on page 26 (page 28 pursuant to the Communication under Rule 51(4) EPC), lines 14 to 16; page 33, lines 13 to 19; or on page 67, lines 19 to 23.

Since the Examiner has already accepted these amendments during the telephone conference dated October 15, 2001, this side believes that no objections will be raised by the Examiner.

The reason for this amendment is that the definition given in amended claim 1 that the optic moves posteriorly and anteriorly relative to the outer ends of the haptic is more appropriate than the previous definition.

Zur Kasse  
S. 6 13 16, 20

BEST AVAILABLE COPY

BEST AVAILABLE CC

2

Subject to the acceptance of the amended claim 1 by the Examiner and replacement of the previous claim 1 by amended claim 1 this side declares consent to the text and drawings forwarded to us with the above captioned official Communication.

Furthermore, it is requested that the patent be granted immediately in accordance with Article 97(6) EPC.

The translations of claims 1 to 41 in French and German are filed as per enclosures. The translations into German and French already comprises the amendments of claim 1.

The fee for grant and the fees for printing in the amount of EUR 1.316,80 are paid by the enclosed cheque.

  
(Pöhl)  
Patentanwalt

Encls.

Amended claim 1 in triplicate  
German translation of claims 1 to 41, 2-fold  
French translation of claims 1 to 41, 2-fold  
Voucher  
Cheque

# BEST AVAILABLE COPY

EP 94 927 244.7

## New Claim 1

1. An accommodating intraocular lens to be implanted in a human eye within a natural capsular bag in the eye attached about its perimeter to the ciliary muscle of the eye, the lens comprising:

a lens body having normally anterior and posterior sides and including an optic (34, 56, 68, 78) and haptics (36, 52, 60, 73, 84) extending from <sup>*diametrically*</sup> opposite sides of said optic and having inner ends adjacent said optic and opposite outer ends, and wherein said lens body is adapted to move the optic (34, 56, 68, 78) anteriorly and posteriorly relative to the outer ends of said haptics (36, 52, 60, 73, 84) in response to forces imparted through constriction and relaxation of the ciliary muscle (28) of the eye, wherein relaxation of the ciliary muscle effects posterior deflection of the lens such that the optic [~~lies~~] moves [~~posterior~~] posteriorly relative to the outer ends of said haptics and constriction of the ciliary muscle effects anterior deflection of the lens such that the optic [~~lies~~] moves [~~anterior~~] anteriorly relative to the outer ends of said haptics.